

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/Senate Bill No. 61, Page 1, Section TITLE, Line 3,

2 by striking "reciprocity for"; and

3 Further amend said bill, page 8, section 324.009, line
4 141, by inserting after all of said line the following:

5 "334.097. 1. Physicians shall maintain an adequate
6 and complete patient record for each patient and may
7 maintain electronic records provided the record-keeping
8 format is capable of being printed for review by the state
9 board of registration for the healing arts. An adequate and
10 complete patient record shall include documentation of the
11 following information:

12 (1) Identification of the patient, including name,
13 birthdate, address and telephone number;

14 (2) The date or dates the patient was seen;

15 (3) The current status of the patient, including the
16 reason for the visit;

17 (4) Observation of pertinent physical findings;

18 (5) Assessment and clinical impression of diagnosis;

19 (6) Plan for care and treatment, or additional
20 consultations or diagnostic testing, if necessary. If
21 treatment includes medication, the physician shall include
22 in the patient record the medication and dosage of any
23 medication prescribed, dispensed or administered;

24 (7) Any informed consent for office procedures; and

25 (8) If requested to be documented by the patient, any
26 question asked related to the care and treatment of the
27 patient and the physician's response to such question.

28 2. Patient records remaining under the care, custody
29 and control of the licensee shall be maintained by the
30 licensee of the board, or the licensee's designee, for a
31 minimum of seven years from the date of when the last
32 professional service was provided.

33 3. Any correction, addition or change in any patient
34 record made more than forty-eight hours after the final
35 entry is entered in the record and signed by the physician
36 shall be clearly marked and identified as such, and the
37 date, time and name of the person making the correction,
38 addition or change shall be included, as well as the reason
39 for the correction, addition or change.

40 4. A consultative report shall be considered an
41 adequate medical record for a radiologist, pathologist or a
42 consulting physician.

43 5. The board shall not initiate disciplinary action
44 pursuant to subsection 2 of section 334.100 against a
45 licensee solely based on a violation of this section. If
46 the board initiates disciplinary action against the licensee
47 for any reason other than a violation of this section, the
48 board may allege violation of this section as an additional
49 cause for discipline pursuant to subdivision (6) of
50 subsection 2 of section 334.100.

51 6. The board shall not obtain a patient medical record
52 without written authorization from the patient to obtain the
53 medical record or the issuance of a subpoena for the patient
54 medical record."; and

55 Further amend the title and enacting clause accordingly.